

BIRTH INQUIRY ENDS; ARRESTS DENOUNCED

Hirshfield Serene as He Gets Testimony for Report to Hylan.

TRUCE WITH LAWYERS

Prominent Folk Leave the Hearing With Decision in Doubt.

CAPT. DONOHUE ASSAILED

Stenographer Tells How He Was Ordered to Take Mrs. Rublee in Custody.

The inquiry into the action of the police in breaking up a birth control meeting at the Town Hall came to an end yesterday morning when Commissioner of Accounts Hirshfield reassured members of the legal profession of their right to appear before him.

The Commissioner was inspired to make his closing statement by the fact that during the first thirty minutes of the investigation on January 23 one attorney, Robert McC. Marsh, had been barred by him, and another, Paul D. Cravath, had decided it was impossible to continue. The words of Commissioner Hirshfield in closing the investigation were:

"No lawyer need hesitate to appear before me. I do insist, however, that he ought to act like a lawyer ought to act. I've shown several lawyers the door since I've been here and I think they've profited by it."

No Indication of Decision.

After that there was nothing for the prominent men and women attending the hearing to do but disperse, exchanging views on just what the Commissioner will report to Mayor Hylan concerning the police raid on the meeting and the arrest of Mrs. Margaret Sanger and Miss Mary Winifred for trying to make speeches and the arrest of Mrs. Juliet Barrett Rublee on grounds that no one could understand, not even the policeman who arrested her. All three women had been freed in court.

Commissioner Hirshfield was in an amiable mood, which seemed from his words to spread protectively over police officials whose actions had caused the committee of ten prominent citizens to protest to Mayor Hylan. Concerning Thomas J. Murphy, policeman and stenographer, who arrested Mrs. Rublee after her testimony at a hearing at Police Headquarters before Chief Inspector William J. Lahey, the Commissioner said:

"I'm not going to let you make a scapegoat of this young man. He's too young to know about birth control."

"He's not too young to arrest a woman for a crime," retorted Emory R. Buckner, third and surviving lawyer for the citizens committee.

Murphy in his testimony before Hirshfield said that he had not even heard Mrs. Rublee's testimony before the inspector. He had been called into the Lahey hearing by Michael M. Dolphain, Assistant Corporation Counsel, who said to him, he testified:

"This woman has admitted a crime."

When Murphy protested that the crime, a misdemeanor, had not been committed in his presence, he said Mr. Dolphain replied:

"I'm ordering you to arrest her."

Murphy told how Dolphain had read the minutes of Mrs. Rublee's testimony to him, and he had arrested Mrs. Rublee. In Tombs court James J. Wilson, Assistant District Attorney, had recommended her release, as there was nothing in the minutes to indicate that any violation of the law concerning the dissemination of birth control information had been committed.

Only Obeyed Orders.

The gist of the testimony before Mr. Hirshfield by Police Captain Thomas Donohue, the man who stopped the Town Hall meeting, was that he had arrested even when, as Mr. Buckner brought out, they came from some individual at Police Headquarters unknown to the Captain. Although Capt. Donohue testified that he had arrested Mrs. Rublee, he said all he knew of the source of the order was that a telephone operator at Police Headquarters had told his precinct desk lieutenant, Joseph Courtney, to tell him to stop the meeting.

At the hall he saw Mrs. Joseph J. Dinnen, he said. He testified that the sergeant had called attention to the presence of children in the hall. When he entered he ordered Mrs. Sanger from the platform.

The child who had been committed before you ordered her to leave the platform?" Mr. Buckner asked.

"She said she would not leave," Capt. Donohue answered.

"But what crime had been committed?"

"She was inciting people to disorder."

"Was she or the Police Department doing that?"

"She was."

Despite objections by Commissioner Hirshfield, Mr. Buckner insisted on knowing what crime had been committed and quoted section 147 of the penal laws, relating to the disturbance of an assembly without authority.

"It doesn't make any difference what the police thought was going to happen at that meeting," said Mr. Buckner. "I maintain that this captain committed a misdemeanor in stopping this meeting."

"There was a crowd in the hall and people were blocking the aisles," Capt. Donohue interrupted.

"You did not arrest them for blocking the aisles, did you?"

"No," Mr. Buckner placed Richard H. Gibbs, Assistant District Attorney, on the stand to testify to the proceedings at the Magistrate's court where Mrs. Sanger and Miss Winsor were arraigned.

Mr. Hirshfield said:

"In the light of the lack of intelligence displayed by the captain on the witness stand I don't know why you find no fault with this man."

Mr. Gibbs testified he could find no basis for the arrest, which Mr. Buckner described as "a flagrant and outrageous performance" on the part of the police.

Among those at the hearing were Mrs. Winthrop McKim, Mrs. George Hall, Jr., Mrs. John Howard Child, Mrs. Rublee, Rabbi Goldstein of the Free Synagogue and Mrs. and Mrs. Lewis L. Delafield.

Traveling 8,000 Miles to Have His Eyes Tested

DR. JOSEPH FANDREY of Los Angeles, who sailed yesterday for Hamburg by the Royal Mail liner Orbita, will have traveled more than 8,000 miles when he arrives at Vienna solely to have cataracts removed from his eyes. He said that he would let no other surgeon, except those of the Austrian capital, which, he said, has the best eye specialists in the world, operate on him. If the cataracts are not sufficiently developed to be removed he will wait a year in Vienna if necessary.

Carl Strauss, representing a German Masonic relief organization of Chicago, sailed with money for distressed "white collar" classes in Germany, particularly the families of teachers.

CRAIG AND BROWNE WAR OVER SUMMONS

Hulbert Refuses to Order Arrest of Realty Man Who Would Punish Comptroller.

Stewart Browne, president of the United Real Estate Owners Association, was in danger of arrest for about five minutes at the meeting of the Board of Estimate yesterday. Comptroller Craig tried to have Acting Mayor Hulbert use his power as a city magistrate to commit the real estate man to jail for disorderly conduct right then and there.

Mr. Browne issued a statement last night in which he threatened to have the Comptroller punished by a police court or the Supreme Court in some way for contempt in ignoring the papers that the former was trying to serve on the head of the Finance Department.

The Board of Estimate was busy with its more or less weighty matters when Mr. Browne edged his way into the well in front of the rostrum and pushed a paper into the Comptroller's hands. The latter pushed it back, and a little game of shuffleboard was played until the document fell on the floor.

Later Mr. Browne said he had served the Comptroller with a certified copy of the decision of the Court of Appeals requiring the Board of Estimate to restore to the budget the pension money. The Comptroller denied he had been served and said he did not know what had become of the papers.

After Mr. Browne had left the Board of Estimate chamber the Comptroller sent for him and he returned under escort of Patrolman Cox.

"I ask you to use your power as a magistrate to commit Mr. Browne for disorderly conduct," Mr. Mayor, said the Comptroller, addressing Acting Mayor Hulbert.

"That's out of order," said Borough President Riegelmann. "I move we proceed with our meeting," and that Mr. Browne be escorted out in state by a cop."

LAWYER SAYS J. J. RYAN TRIED TO GET DIVORCE

Sought to Marry Dorothy Whiteford, Actress.

Herman L. Roth, a lawyer, who explained to the court that he specialized in obtaining divorces for persons connected with the theater and with moving pictures, appeared before Surrogate Cohen yesterday in support of a claim for \$2,000 filed with the executor of the estate of Joseph J. Ryan, youngest son of Thomas Fortune Ryan. He testified that his claim represents the unpaid balance of a debt of \$2,000 that Ryan agreed to give him when he engaged him to obtain a divorce so that he might marry Dorothy Lucille Whiteford, the actress, whom he made the principal beneficiary in his will.

Roth swore yesterday that Ryan, who died in November, 1920, was introduced to him in April of the same year and retained him to procure a divorce for him. Ryan, according to Roth, explained to him particularly that he did not want his father to know anything about it. Complications prevented carrying out the plan after \$2,000 had been paid to Roth.

Roth insisted that he always receives \$2,000 as a retainer in divorce actions and receives \$500 additional for every day he appears in court. His testimony was supported yesterday by that of John M. Walsh, a brother-in-law of Miss Whiteford, and John Belushi, a reporter for a theatrical weekly. Surrogate Cohen will hear further testimony next Friday.

Mrs. Ryan has filed a contest of her husband's will, in which he left her only \$100. His estate is worth about \$60,000.

KEEPER 'CLEANS UP' BOY WHO OBEYED COURT

Vagrant, 'Trimmed,' Is Turned Home After Card Game.

Magistrate John E. McGeehan in Morrisania court yesterday advised Dennis Ryan, 17, a vagrant, to "go down stairs and get cleaned up and play cards with the keeper until I call for you."

The boy, grimy and unkempt, had been arrested on a bench in a Bronx railroad station. When called a second time by the magistrate his face and hands were clean and he wore a clean shirt and collar and a necktie.

"Are you the same fellow?" asked the court.

The boy replied that he was, whereupon the magistrate, surprised, asked: "What did you do?"

"I took your advice. I played cards with the keeper and he 'cleaned me up.'"

He was placed in the care of the Catholic Big Brothers.

Pilgrim, 103, With \$12,000 in Cash Sent Home After Wavering Here

Runaway old people, especially women, give the Travelers Aid Society more trouble than girls and boys, according to a report submitted by Miss Virginia A. Murray, general secretary of the society, yesterday at the annual meeting at the home of Mrs. Edwin C. Jameson, 4 East Sixty-ninth street.

There are many homeless men who like to wander around, and old ladies are constantly being held by the society until their daughters can call for them, she said.

Miss Murray told of one man 103 years old from Lincoln, Neb., who arrived here on his way to Ireland, then changed his mind. Representatives of the society took him in charge and discovered that he had \$12,000 on his person.

This was exchanged for a draft

SHOOT MESSENGER, GET \$5,000 PAYROLL

Seven Bandits Pounce on Bank Employee Before He Can Use His Gun.

STOLEN MOTOR IS USED

Policeman Fires at Fleeing Thieves and Perhaps Wounds One.

WOMAN ROBBED OF \$795

Three More Large Fur Hauls Net \$18,000 Loot—Arrests in Old Theft Case.

Richard Kahrs, a messenger of the Pacific Bank branch, Madison avenue and Fifty-seventh street, accompanied by a guard, Joseph P. Hynes, failed to get his revolver in action quick enough yesterday at First avenue and Sixtieth street, almost under the Queensborough Bridge, and seven bandits stole the \$5,000 payroll he was to deliver to the Gotham Silk Hosiery Company, 430 East Fiftieth street.

The bandits leaped from an automobile which drew alongside the curb, struck the weapon from Kahrs's hand the moment he drew it and shot him in the back in the struggle for the payroll.

Hynes, who was at Kahrs's side, was bowled over by one of the bandits and was put out of the contest in the first clash. The messenger and Hynes had stopped to deliver some money to the Economy laundry, at First avenue and Sixty-second street, and were walking south in First avenue when the bandits appeared. The street was crowded with vehicles and pedestrians.

Kahrs was carrying the leather bag containing the money. Four bandits were in the automobile. Three others, confederates, were lurking in a doorway across the street. Hynes was nearest the curb and was taken by surprise when three of the holdup men jumped from the automobile and at the same time others dashed across the street to give aid.

Hynes was knocked down and Kahrs had a moment of warning in which he drew his revolver. One of the bandits struck his arm a terrible blow with a reversed pistol, and Kahrs dropped the weapon, but kept his hold on the bag. Kahrs yelled for help and kept his hold, until one of the bandits put a pistol to his back and shot him.

"That's out of order," said Borough President Riegelmann. "I move we proceed with our meeting," and that Mr. Browne be escorted out in state by a cop."

Three of the bandits sprang back to the automobile, and the others stood on the running board as the car dashed away. Capt. Patrick Corcoran of the Queensborough Bridge police station arrived as the car was getting away and fired three shots. He said he saw one of the bandits fall into a car and believes the man was wounded.

The car escaped at Sixty-first street and Avenue A. Kahrs, who lives at 17 West 106th street, was taken to Reception Hospital.

An automobile with a bullet hole through the windshield and the rear door, a bloody handkerchief and torn slips of paper, indicating that it was used by the bandits, was found last night in front of 43 West Ninety-seventh street by Patrolman John Releche of the West 100th street station. One of the bits of paper was a deposit slip of the Pacific Bank and the other read: "Gotham Silk Hosiery Company."

There were no initials on the handkerchief. The blood stains were believed to be from the car. Corcoran's statement that he wounded one of the bandits.

The car had the license number 4294 N. Y. and inside was another license plate with the number 12733 N. Y. The latter number was said by the police to be the number of an automobile owned by Harry Muller of 27 Madison street, Elmhurst, Queens, and believed to be stolen.

Janitress Robbed of \$795 Gold.

The savings of Mrs. Antonia Melenchuk, 48, and her husband, which amounted to \$795 all in 5 gold pieces, were stolen from her yesterday at 1217 Washington avenue, The Bronx, where she is employed as a janitress. By two men who bound and gagged her, Mrs. Melenchuk kept the money in a pouch tied about her right leg.

The men escaped after the robbery and Mrs. Melenchuk was found by Morris Jarow, proprietor of a nearby store who had seen the woman's struggles with the bandits through the window and had hurried to her rescue.

Mrs. Melenchuk said the robbers got into the apartment on a pretext of inquiring the address of the landlord, and she was looking through a note-book to get it drew revolvers and told her to sit on a couch. When she did so they wound a table cloth around her head, tied her hands and feet and searched for the money. The apartment houses twenty-four families, but none of them heard her struggles or her cries for help before the gag was applied.

Detectives of the West Third street station disclosed yesterday that three big fur hauls have been made recently, the loot amounting to \$18,000.

Thieves stole goods valued at \$12,000 from Wachtman & Greenburg at 333 Seventh avenue, evading protective wires, last Monday night. Tuesday night or Wednesday morning furs valued at \$2,200 were taken from the store of Weinberg & Witt, 34 West Thirty-eighth street, and a \$200 fur was stolen from B. Harris, 25 West Twenty-sixth street, the night of February 6.

The man sent back, Travelers Aid representatives looking out for him at all important stops and at his final destination.

The society assisted 51,108 people last year. The society warned the members against vicious taxicab drivers who extort money from visitors and who, she said, are a menace to young girls arriving in the city alone.

The society also has served meals to 908 individuals in the year at an average cost of 37 cents a meal. Thirty-seven hundred young women were dismissed from Ellis Island to marry last year, and many of them were in charge of the society's representatives.

Bishop William T. Manning, honorary vice-president of the society, presided. The reports were followed by motion pictures showing the activities of the society.

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Banditti of the 'Terror' Known as 'Chaufeurs'

NEW YORK chauffeurs, "living up to their name," are largely responsible for the wave of banditry that has been sweeping the city, Magistrate House, presiding in the traffic court, intimated yesterday.

When a chauffeur was arraigned before him yesterday the Magistrate got the opportunity for an etymological discourse.

"Chaufeur," or "garrotter," according to Magistrate House's definition, was the nickname given to French brigands during the Reign of Terror. They garrotted their victims and burned their feet to force them to disclose their treasures.

Magistrate House thinks that many chauffeurs here have discovered the original meaning of the term.

And how well worth keeping in remembrance they are, such as the old English one, "He who chases two hares catches neither!"

This Store is truly an index of a lifetime.

[Signed]

February 18, 1922.

French Caramels 60c pound

Week End Special—the 80c grade.

Delicious. Made after a famous French recipe—chocolate and vanilla.

CAMEE—the delicious! Chocolates and bon bons, \$1.75 pound.

Camee Shop, Street Floor, Old Building

Eighth Gallery, New Building

Downstairs Store, New Building

Second Floor, Old Building

A clean sweep in the infants' shop

All winter clothes and incomplete sizes, at greatly reduced prices.

Coats, \$5 to \$21.50

Originally \$9.50 to \$30. Sizes 1 to 3 only.

Double-breasted; wool chin-chilla; for both boys and girls.

Girls' dresscoats of broadcloth or velvet—some fur trimmed.

Dresses, \$3.95 to \$10

Originally \$5.95 to \$25.

Colored play frocks—ginghams, chambrays and black sateen. Many trimmed with hand work.

Party frocks—dotted Swisses, lawns, nets, taffetas, Georgette crepe. White or lovely colorings.

Baby Dresses \$1.75 to \$4.50

Originally \$3.95 to \$6.50.

Third Floor, Old Building

Girls' Coats, \$16.50

Our \$25 to \$49 grades

Belted coats. Bloused coats. Smocked coats. Flaring coats. Sizes 6 to 12 years.

Broadcloth, wool velours, duvetyl, wool chin-chilla cloth and wool coatings.

Some fur trimmed; others have large collars of the lovely materials. Venetian, flannel or silk lined throughout.

Limited quantity.

Second Floor, Old Building

Wrist Watches

A Sale of 200—\$25 Grade—at \$17

Tonneau shape, handsomely engraved white gold filled case, warranted for 20 years, 15 jewel movements of the same quality as those we put into much higher priced watches.

Plain or etched dials. Some with raised numerals.

Main Floor, Old Building

Knife slash by Negro like slap by white

Plea Cuts Sentence of Slayer Who Cut Woman's Throat.

"It is just as natural for a negro to draw a knife as it is for a white man to clench his fists; a negro has no more intent of murder when he slashes another person than a white man has when he slaps a man in the face."

These arguments offered yesterday in General Sessions by Col. Arthur Little, former major in the Fifteenth (negro) infantry, who said he had often stopped racial fights between negroes by merely clapping his hands, after the sentence of Lawrence Jouquin, 25, a negro convicted of manslaughter in the first degree from a possible twenty years to not more than twelve nor less than six years in State prison.

Col. William D. Hayward, United States District Attorney, and former commander of the Fifteenth, in which the prisoner served a year, testified to his creditable war record.

Jouquin was found guilty of slaying Mrs. Helene Jackson by cutting her throat three times with a ten inch knife.

Store Hours: 9 to 5.30
Telephone: Stuyvesant 4700

It Is an Old Arabian Saying

"A Proverb is to speech What salt is to food."

In old times, so the books tell us, proverbs were spoken of as "parables," "words of the wise," what "the ancients" wrote.

How "pat" they seem, even in these days of free schools, cheap books and cheaper newspapers!

And how well worth keeping in remembrance they are, such as the old English one, "He who chases two hares catches neither!"

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